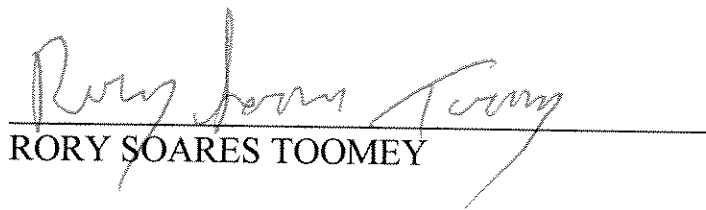


1. I am one of the attorneys representing Ofelia Coloyan Plaintiff above named, and unless otherwise indicated, the facts set forth herein are based upon my personal knowledge/
2. On information and belief, I believe that Jeffery Omai Defendant above-named has been injured in the line of duty.
3. While I am unaware if any other of the Defendants were inkured in the line of duty, there is a possibility that they were.
4. I am informed and believe that no one was injured in the search underlying this case.

**RORY SOARES TOOMEY DECLARES UNDER PENALTY OF LAW
THAT THE FORGOING IS TRUE AND CORRECT.**

DATED: Honolulu, Hawaii, 02/21/06


RORY SOARES TOOMEY

Declaration of Counsel attached to the Plaintiff's Motion in Limine Re Exclusion
of all Evidence of Injuries to any of the Defendants that occurred in the line of
duty filed in the matter of Ofelia Coloyan vs. William Badua, Jeffery Omai,
Spencer Anderson, Neil Ping. In the United States District Court for the District of
Hawaii Civil No. CV-03-00476-KSC